

REMARKS

Claims 1-14 and 16 are pending in the application. Claims 1 and 7 are amended, and claim 15 has been canceled. These amendments do not introduce new matter and will not provide an undue burden upon the Examiner. In addition, the title of the application has been amended in light of the Examiner's objections. No new matter has been added.

Claims 1-16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Albrecht et al (US 6,160,686) in view of Boutaghou et al (US 6,122,130). The Examiner states that Albrecht discloses a ramp body that is molded from a compound formulation consisting of essentially a polymer and embedded particles away from the ramp surface. While Albrecht is silent to a ramp including a liquid that is incompatible with the polymer with the liquid being in the form of droplets distributed in the polymer, the Examiner asserts that Boutaghou makes the requisite disclosure in order to render the present application obvious. Applicant respectfully traverses that conclusion.

In order to establish a prima facie case of obviousness, three criteria must be met. One of these criteria is that the prior art reference (or references when combined) must teach or suggest all of the claim limitations. Claims 1 and 7 have been amended to more clearly claim that the droplets of liquid distributed in the polymer maintains an equilibrium thickness of the liquid on the ramp surface. (See specification at page 6, lines 15-26). This is distinct from Albrecht's ramp made of a compound formulation that does not claim or suggest the combination of a polymer compound and any type of liquid droplets. This, in combination with Boutaghou's ramp incorporating the use of multiple coefficients of friction, does not claim or suggest all of the claim limitations as claimed in the present invention. In Boutaghou, there is no equilibrium level of lubricant present on the surface of the ramp. The lubrication or change in coefficient of friction is provided by the liquid crystals is only present when the

liquid crystal droplets 322 are oriented in a particular direction upon the application of an electric field (See col. 3, lines 44-56, Figs. 4 and 5). Thus, Boutaghou's method of lubrication of the ramp in combination with Albrecht does not teach or suggest all of the claim limitations as presently claimed.

In light of the arguments above, claims 1 and 7, along with their dependent claims, are allowable over the cited references. Applicant respectfully requests the allowance of the claims.

Claim 13 is a means plus function claim. Claim 13 requires "means for loading/unloading the at least one read/write head to the at least one disc." This claim thus invokes 35 U.S.C. § 112, sixth paragraph. Whatever the result may have been under prior PTO practice, the PTO must construe functional limitations in accordance with the corresponding structure disclosed in the specification when examining patents. In re Donaldson, 29 U.S.P.Q.2d 1845 (Fed. Cir. 1994) (en banc). Applicant's corresponding structure at the least includes a body molded from a compound formulation consisting essentially of a polymer and a liquid that is chemically incompatible with the polymer, the liquid being in the form of droplets that are distributed in the polymer and maintains an equilibrium thickness of the liquid on the ramp surface. As discussed above, Albrecht in combination with Boutaghou does not teach or suggest all of the claim limitations as presently claimed and thus does not present a prima facie case of obviousness. As such, claim 13 is not obvious in view of the prior art, and withdrawal of the rejection under § 103(a) is respectfully requested. Claims 14 and 16 depend from claim 13 and are similarly allowable.

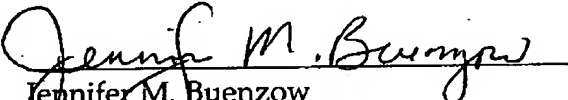
Conclusion

This is a complete response to the Office Action mailed July 1, 2003. The Amendments contained herein are proper, do not add new matter, and do not place an undue burden or require additional searching by the Examiner. All rejections are obviated such that the pending claims 1-14 and 16 are in condition

to pass to allowance. The Examiner is encouraged to contact the Applicant's representative below for any matter that might further facilitate prosecution on the merits.

Respectfully submitted,
Seagate Technology LLC
(Assignee of the Entire Interest)

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Date


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